

Mrs. Dee Mayo
Environmental Specialist
Lac du Flambeau Band of Lake Superior Chippewa Indians
PO Box 67
2500 HWY 47 North
Lac du Flambeau, Wisconsin 54538

~~RE: Lac du Flambeau UST/LUST Tribal Needs Assessment~~

Dear Mrs. Mayo,

I am writing in response to your letter dated December 6, 2011, ~~assessing in which you identified~~ your ~~underground storage tank (UST)~~ ~~/UST~~ needs for the Lac du Flambeau tribe. ~~We appreciate you taking the time to write and provide such a comprehensive assessment.~~ We have reviewed your needs and ~~would like to provide the following responses.~~ ~~provided response to your requests. (needs additional language)~~

1) Asses/Remove/Abandon orphan or suspect tanks (Need \$4,000 per year for UST removal)

Although abandoned UST sites are become~~ing~~ more prevalent, EPA UST regulations prohibit use of LUST trust funds for removal of USTs, ~~unless it is necessary to remove the tanks for purposes of assessing or remediating petroleum contamination.~~ In order to address the abandoned tank UST removal issue, we encourage you to apply for petroleum brownfields funding. ~~Please contact Kevin Hill of my staff for more information about the brownfields funding.~~ ~~We would be happy to provide additional information about how to apply for such funding.~~

2) Assess possible LUST sites (Need Tribal assessment and cleanup)

Region 5 will continue to review and evaluate information regarding LUST sites on Tribal lands. Based on our findings we will determine the best ~~whether there is a need for assessment or~~ remediation activities for ~~each sites which are~~ eligible for federal LUST trust fund dollars. ~~If you have information on any LUST sites which we may not be aware of, we would be happy to review that information and provide our input.~~

3) Heating Oil Tanks (Include heating oil tanks in assistance programs)

Under our current federal regulations, heating oil tanks are exempt from ~~all~~ federal ~~UST~~ regulations ~~however, they may be regulated under other federal or local laws.~~ ~~Region 5 is unable to provide assistance with this request.~~

4) UST training and compliance assistance (Fund Training and compliance assistance)

Region 5 is responsible for providing UST compliance assistance to Tribal nations in the region. You can contact Kevin Hill of my staff for any compliance assistance needs you may have. In addition, the Oneida tribe has ~~offered to~~ reach out to other Wisconsin tribes to ~~offer~~ ~~provide~~

compliance assistance and training. The Oneida tribe has a federally-credentialed UST inspector to help with any compliance issues that ~~was~~ arise. **If you would like to contact the Oneida UST Inspector, his contact information is:**

Sean Suri

5) AST and SPCC training and compliance assistance

~~Unfortunately, ASTs are not regulated by Region 5~~ **under the federal UST requirements; however, they may be regulated under other federal or local laws.** ~~, so we are unable to provide assistance with this request.~~ With regards to SPCC issues, **we're happy to provide** ~~Kevin Hill of my staff will be able to give you contact information of~~ **for** the SPCC experts in the region.

6) UST/AST regulatory codes

~~In regards to the UST regulations, Kevin Hill will be able~~ **Once again, we would be happy** to provide you with publications and ~~be able~~ to answer any questions you have about the current UST regulations.

Again, thank you for your response to our needs assessment request. It is appreciated. Please contact Kevin Hill of my staff ~~and~~ **at** (312) 886-6087 if you have additional questions or require additional information.

Sincerely,

Laura L. Lodisio
UST Section Chief
Land and Chemicals Division